

1 SHIRLI FABBRI WEISS (Bar No. 079225)  
 2 DAVID PRIEBE (Bar No. 148679)  
 3 JEFFREY B. COOPERSMITH  
 (admitted *pro hac vice*)  
 4 DLA PIPER US LLP  
 5 2000 University Avenue  
 6 East Palo Alto, CA 94303-2248  
 Tel: (650) 833-2000  
 Fax: (650) 833-2001  
 Email: shirli.weiss@dlapiper.com  
 Email: david.priebe@dlapiper.com  
 Email: jeff.coopersmith@dlapiper.com

7 ELLIOT R. PETERS (Bar No. 158708)  
 8 STUART L. GASNER (Bar No. 164675)  
**KEKER & VAN NEST LLP**  
 9 710 Sansome Street  
 San Francisco, CA 94111  
 10 Tel: (415) 391-5400  
 Fax: (415) 397-7188  
 11 E-mail: EPeters@KVN.com  
 E-mail: SGasner@KVN.com

12 Attorneys for Defendant  
 13 KENNETH L. SCHROEDER

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN JOSE DIVISION

17 SECURITIES AND EXCHANGE  
 18 COMMISSION,

19 *Plaintiff,*

20 *v.*

21 KENNETH L. SCHROEDER,

22 *Defendant.*

23 No. C 07 3798 JW

24 [PROPOSED] ORDER GRANTING  
 25 MOTION OF KENNETH L. SCHROEDER  
 26 FOR PROTECTIVE ORDER  
 27 REGULATING TIMING OF DEPOSITION  
 28 Fed. R. Civ. P. 26(c)

MAGISTRATE JUDGE HOWARD R.  
 LLOYD

DATE: December 18, 2007  
 TIME: 10:00 a.m.  
 COURTROOM:

**ORDER**

Having considered the "Motion Of Kenneth L. Schroeder For Protective Order Regulating Timing Of Deposition" and any response thereto, IT IS HEREBY ORDERED, pursuant to Federal Rule of Civil Procedure 26(c), that plaintiff Securities and Exchange Commission is precluded from noticing and taking the deposition of Kenneth L. Schroeder until three months before the completion of fact discovery in this case.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

---

The Honorable Howard R. Lloyd  
United States Magistrate Judge

Presented By:

DLA PIPER US LLP

By: /s/ Jeffffrey B. Coopersmith

SHIRLI FABBRI WEISS (Bar No. 079225)  
DAVID PRIEBE (Bar No. 148679)  
JEFFREY B. COOPERSMITH (admitted *pro hac vice*)  
DLA PIPER US LLP  
2000 University Avenue  
East Palo Alto, CA 94303-2248  
Tel: (650) 833-2000  
Fax: (650) 833-2001  
Email: shirli.weiss@dlapiper.com  
Email: david.priebe@dlapiper.com  
Email: jeff.coopersmith@dlapiper.com

ELLIOT R. PETERS (Bar No. 158708)  
STUART L. GASNER (Bar No. 164675)  
KEKER & VAN NEST LLP  
710 Sansome Street  
San Francisco, CA 94111  
Tel: (415) 391-5400  
Fax: (415) 397-7188  
E-mail: EPeters@KVN.com  
E-mail: SGasner@KVN.com

Attorneys for Defendant  
KENNETH L. SCHROEDER

SE9104279.1

Page 2

[PROPOSED] ORDER GRANTING MOTION OF KENNETH L. SCHROEDER FOR PROTECTIVE ORDER  
REGULATING TIMING OF DEPOSITION

NO. C 07 3798 JW